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COMMISSION ON HUMAN RIGHTS

Fifty-second session

SUMMARY RECORD OF THE 44th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 16 April 1996, at 6 p.m.

Chairman: Mr. LEGAULT (Canada)
(Vice-Chairman)

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In the absence of Mr. Vergne Saboia (Brazil), Mr. Legault (Canada), Vice-Chairman, took the Chair.

The meeting was called to order at 6 p.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS

(agenda item 10) (continued) (E/CN.4/1996/3, 4 and Corr.1 and Add.1 and 2, 6, 7, 9, 12, 16 and Add.1, 54, 55, 56, 57, 59, 60, 61, 62, 63, 64, 65, 66 and Corr.1 and 2, 67 and Add.1, 68, 69, 107, 111, 114, 115, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 133, 135, 139, 145, 146, 149, 150 and 154; E/CN.4/1996/NGO/9, 10, 12, 16, 17, 18, 21, 29, 30, 36, 44, 52, 54, 57, 58, 62, 67, 68, 69, 80 and 87; A/50/471, 567, 568, 569, 663, 734 and 767; A/50/894-S/1996/203)

1. Mr. CUNNIAH (International Confederation of Free Trade Unions) said that his organization's Annual Survey of Violations of Trade Union Rights, to be published shortly, listed some 95 countries where basic workers' rights to form and join trade unions of their own choosing and to bargain collectively were undermined. The International Labour Organization (ILO), responding to the growing number of complaints to its Committee on Freedom of Association, had launched a campaign for the universal ratification of core ILO conventions. In addition, world leaders meeting at the World Summit for Social Development in 1995 had committed themselves to promoting respect for those conventions but had taken little practical action to date.

2. In Latin America, and especially in Colombia, Guatemala, Paraguay and El Salvador, kidnappings, assassinations and harassment of trade unionists were still widespread. Gross abuses of trade union rights in Africa continued unabated. In particular, the Commission should not fail to condemn Nigeria for its gross violations of such rights. Other major offenders in Africa were Swaziland, Ethiopia, the Sudan, Morocco, Equatorial Guinea, Djibouti and Chad. In Asia, trade union rights in China, Myanmar, Pakistan and the Islamic Republic of Iran continued to deteriorate.

3. His organization hoped that the Commission would take strong action against all States that flouted workers' rights.

4. Ms. BANO (World Muslim Congress) said that India had embarked on a systematic campaign of misinformation to deceive the world community about its barbaric crimes against humanity in Kashmir. Its occupation forces were everywhere and nobody was safe. Gang rape was used as a form of collective punishment of women and girls to prevent them from supporting the freedom fighters. India seemed bent on filling the graveyards with Kashmir's younger generation.

5. The people of Kashmir had no power, no voice and no representation. The world viewed their cause as a bilateral dispute between India and Pakistan. Kashmiri youth had taken up arms when all other methods of resistance failed

to secure their right to self-determination. She appealed to the Commission to rise above political considerations and come to the aid of Kashmir's terrorized population by taking appropriate steps to end the gross violations of their human rights.

6. Mr. HEPPNER (International Work Group for Indigenous Affairs) said that the ruling military junta in Myanmar, the State Law and Order Restoration Council (SLORC), claimed to be promoting peace and economic stability whereas its abuses were actually destroying the country's economic, social and cultural fabric. It claimed to be improving the human rights situation by negotiating cease-fires with ethnic opposition groups but widespread abuses had continued after the cease-fires. New forced labour projects were constantly being launched and villagers who failed to obey orders for forced labour were subject to arrest, torture, rape or summary execution by the army. Families had to sell their livestock and valuables to pay extortion money and land was seized and the crops sold or exported for military profit. There was a shortage of rice throughout the country but SLORC had increased rice exports fourfold during the current year. The villages where 85 per cent of Myanmar's people lived were being stripped to finance a façade of economic development in the cities.

7. His organization urged the Commission to act on the recommendations contained in the report of the Special Rapporteur on Myanmar (E/CN.4/1996/65), particularly the recommendation for a team of human rights field officers to assist him in his mandate.

8. Mr. BAKER (International Islamic Federation of Student Organizations), an American Christian, described his experiences during a visit to Kashmir in August and September 1992, where he had personally witnessed beatings, shootings and assorted violations of human decency. A cardiovascular surgeon whom he had interviewed, Dr. Abdul Ahad Guru, had spoken out openly about the atrocities perpetrated by the Indian occupation forces and had been assassinated in April 1993. Dr. Guru had described the shortage of basic drugs in hospitals due to the embargo on pharmaceuticals and had denounced curfews that prevented emergency cases from being hospitalized.

9. Mr. Baker had filmed numerous civilian victims of the Indian occupation forces, in particular an ambulance driver who had been beaten up and shot and a 10-year-old girl whose face had been disfigured by a bullet. He had also interviewed women who had been raped and tortured by Indian soldiers.

10. The Kashmiri people were being denied the right to education; most schools were closed and male students feared arrest if they attended university to sit their examinations.

11. He therefore urged the Commission to take the strongest action as speedily as possible in order to halt, even temporarily, the atrocities occurring in Kashmir.

12. Ms. INAYATULLAH (All Pakistan Women's Association) said that she was speaking in place of Jalil Andrabi, Chairman of the Kashmir Commission of Jurists and a crusader for human rights, who had recently been murdered in Kashmir.

13. After six years of mass destruction and genocide, the alienation of the people of Kashmir from India was complete, but unfortunately that truth was lost on the Indian authorities. In 1995 India had vandalized the Charar-i-Sharif mosque and shrine, the key symbol of Kashmiri cultural identity, and in 1996 had launched a new comprehensive military crackdown. Its reign of terror had cost some 40,000 Kashmiris their lives over the years and was a major deterrent to regional security. The cease-fire line was regularly violated.

14. She called on the Commission to undertake impartial and exhaustive investigations into cases of rape and other forms of torture of women by the Indian security forces and to use its good offices, through the High Commissioner for Human Rights, to urge India to end State terrorism and to suspend the farcical elections scheduled for the following month. In addition, it should call on the United Nations to establish a war crimes tribunal on Kashmir and should appoint a rapporteur to investigate the situation.

15. Mr. SALDAMANDO (International Indian Treaty Council) noted that Turkey's role in the genocidal suppression of the Kurdish people had yet to be fully examined by the Commission. He also noted that resistance by the indigenous peoples of Bougainville to mining activities had been suppressed by the military, that a military blockade had been imposed on humanitarian supplies, and that massacres and other forms of physical violence had occurred. Similarly, in Guatemala, Brazil, and Peru there were countless cases of abductions, enslavement, evictions and massacres which targeted indigenous groups. Throughout Canada, moreover, indigenous peoples were threatened with displacement and destruction of their lands and means of subsistence as a result of exploitation by transnational corporations.

16. He therefore urged the Commission to take action to help protect the rights of indigenous populations.

17. Mr. EL KHAZEN (Observer for Lebanon) said that the human rights situation in southern Lebanon and the western Bekaa was deteriorating day by day under Israeli occupation and aggression. Israel persisted in refusing to implement Security Council resolution 425 (1978), which called for its immediate withdrawal from all Lebanese territory, and was violating the fourth Geneva Convention of 1949 by using heavy artillery, aircraft, helicopters and fragmentation bombs to bombard towns and villages inhabited by unarmed civilians. It was currently engaged in a major offensive against over 50 towns and villages in southern Lebanon and the western Bekaa and the suburbs of Beirut. In addition to the numerous civilian casualties, mostly women and children, incalculable material damage had been inflicted and over half a million people had fled to Beirut. The so-called terrorist operations that had served as a pretext for the bombardment had been legitimate attacks by the Lebanese resistance movement on Israeli military targets and would continue until the occupying forces withdrew.

18. The Israeli army and its proxy militia also persistently violated the 1949 Geneva Convention Relative to the Treatment of Prisoners of War through their treatment of the 200 prisoners held since 1985 in the Marjayoun and Khiam detention centres, where conditions were deplorable and irrefutable

evidence of torture had been obtained from released detainees. The provisions of the Convention regarding family contacts were also flouted. A number of Lebanese nationals abducted by the Israeli forces during the 1982 invasion were held in Israeli prisons and nothing was known of their circumstances.

19. Lastly, the Israeli naval blockade off the southern Lebanese coast had deprived local fishermen of their livelihood for more than a year.

20. He urged the Commission to put pressure on Israel to comply with international humanitarian law as contained in the Geneva Conventions and Protocols and to respect the International Bill of Human Rights.

21. Mr. KAVSADZE (Observer for Georgia) said that part of Georgia, Abkhazia, was occupied by separatist forces and foreign mercenaries, and the demographic composition of the population had been altered by the expulsion of virtually all Georgian inhabitants from the territory. The existence of a policy of ethnic cleansing had been confirmed in the Final Document of the 1994 Budapest Summit of the Conference on Security and Cooperation in Europe and had been the subject of Security Council resolution 1036 (1996), which called for the return of the refugees but had been ignored by the separatists. Cruelty, mass killings and the burning of homes persisted in Abkhazia despite the cease-fire and the presence of peace-keeping forces of the Commonwealth of Independent States (CIS) and United Nations observers. As Chairman of the Georgian State Committee on Human Rights and Ethnic Relations, he called for support for the cause of human rights in Abkhazia and, in particular, for prosecution of the perpetrators of ethnic cleansing and genocide.

22. Mr. CHANES de ARMAS (International Association of Educators for World Peace) said he was a Cuban who had founded the 26th of July Revolutionary Movement, and a rebel army which had waged a guerrilla war against the dictatorship of Fulgencio Batista. He had served a harsh 30-year prison term for opposing the transition of the Cuban revolution to communism and the rejection of democracy and freedom.

23. He described the various violations that affected the exercise of freedom, development and peace in Cuba and said that its people had suffered repression, persecution, deprivation of freedom and ill-treatment of every description. Moreover, for more than 35 years, large numbers of political prisoners had been kept in horrendous conditions. He also referred to two incidents involving the destruction of a tugboat and two aircraft that had occurred in the first quarter of 1996 in which defenceless civilians, including children, had been killed.

24. He therefore appealed to the Commission to help the people of Cuba in their struggle to achieve freedom and recognition of their rights.

25. Mr. GUPTA (International Institute for Peace) said that Pakistan was guilty of promoting State terrorism, and noted that the human rights situation in that country remained of great concern in spite of nearly eight years of democracy. The continued repression of certain ethnic groups, victimization of political opponents, and arbitrary action by law enforcement officials had

all been confirmed by international bodies. Human rights activists protesting against State terrorism had increasingly become the targets of attacks and intimidation.

26. He therefore urged the United Nations and the Commission on Human Rights to address the serious violations of human rights in Pakistan and to promote tolerance in that country.

27. Mr. SHIMOJI (World Peace Council) described the historical context in which the United States had established military bases in Okinawa and noted that, despite the opposition of local landowners, the Government of Japan had recently attempted to force the Governor of Okinawa to avenge the renewal of leases for the United States army. His Council therefore urged the Commission and the international community to impress on the Japanese authorities the need to accede to the demands of the people of Okinawa.

28. Referring to the highly volatile situation in Jammu and Kashmir, he appealed to the international community to help restore the democratic process and ensure the enjoyment of human rights in that region.

29. Mr. VITTORI (Pax Christi International) noted that very little progress had been made in southern Lebanon during the previous year and lamented the acts of terrorism which had led to the exodus of more than 400,000 persons only days earlier. Equally alarming were reports of religious intolerance in Iran, acts of terrorism masterminded by that country and Pakistan's interference in Afghanistan. He drew attention to the various human rights violations and crimes against humanity being experienced by the peoples of the Sudan, the former Yugoslavia, Rwanda, East Timor, Irian Jaya-Western Papua-Bougainville and Colombia and, in the case of Iraq, called for the lifting of United Nations sanctions which, in his opinion, inflicted more hardship on the civilian population than on its dictatorial regime.

30. Lastly, he reaffirmed his organization's view that a Special Rapporteur should be appointed to report on the violations committed by guerrillas, armed bands and drug traffickers in Colombia. It also supported the proposal to appoint a Special Rapporteur on Nigeria.

31. Lord AVEBURY (African Commission of Health and Human Rights Promoters) described developments in Bahrain since the Amir had dissolved the partially-elected Assembly in 1973. Those who opposed his rule had been silenced by exile or administrative detention, and it was obvious that public opinion in general was not in favour of the leadership of the ruling family which made no concessions to the democratic movement and imposed its will by terror. Opposition leaders had been taken back into custody early in 1996, capital punishment had been reintroduced, a whole range of offences had been transferred from the ordinary courts to the State Security Courts and at least 2,000 persons were being detained without charge. Since Bahrain's stability was clearly threatened by mounting tension between the monarch and the masses, it was crucial to restore the human and democratic rights of which the people of Bahrain had been deprived over 20 years earlier. The Commission should

urge the Government to resume the dialogue with opposition leaders in a spirit of genuine willingness to concede the basic rights demanded by the United Nations for all peoples.

32. Ms. BAUER (Article 19 - International Centre against Censorship) said the tendency of the Nigerian Government to rule by decree did not guarantee the protection of citizens' rights under the international instruments to which Nigeria was a party. She noted the Nigerian Government's reply to the comments made earlier by the Canadian representative and said that the exercise of executive powers, as envisaged by Nigeria, would not ensure equality of opportunity for all or promote enduring political and economic power-sharing arrangements. She therefore endorsed the idea of appointing a Special Rapporteur for one year to investigate and report on the human rights situation in Nigeria.

33. While welcoming the release of Aung San Suu Kyi from house arrest in 1995, Article 19 was deeply concerned by violations of freedom of expression and the right of association and assembly in Myanmar; and urged the renewal of the mandate of the Special Rapporteur on that country for one year.

34. Moreover, it condemned the restrictions imposed on journalists and the harassment of NGOs and human rights defenders in Sri Lanka, and hoped that the Government of that country would report on the formal initiatives it intended to take to address those concerns.

35. In conclusion, she urged the Government of Iran to pay particular attention to further reform in the areas of freedom of opinion and expression, the right to seek and receive information, and the right of association and peaceful assembly. The mandate of the Special Rapporteur on Iran should, in her view, be renewed for an additional year.

36. Ms. HARBURY (Commission for the Defense of Human Rights in Central America) related her efforts to ascertain the facts concerning the disappearance and death of her husband, a Mayan citizen of Guatemala and commander of rebel forces. As a result of her investigations, and after a series of hunger strikes and a lawsuit against the United States Central Intelligence Agency (CIA), she had managed to establish the true facts which corroborated suspicion of torture and CIA involvement in her husband's death.

37. She condemned the Guatemalan army for its practices of systematic secret imprisonment, concealment of criminal acts, obstruction of justice, torture and extrajudicial execution of prisoners. She also condemned the CIA for purchasing information it knew was extracted through brutal corture that invariably culminated in murder. The concealment of human rights crimes from family members of the disappeared was deplorable.

38. Mr. WANI (World Society of Victimology) drew attention to the case of Jamil Andrabi, a Kashmiri human rights activist who had planned to attend the Commission's current session but who had instead been tortured and murdered in custody the previous month by Indian forces. A similar fate might await others who, like himself, had come to express their people's plight before the Commission.

39. All such activists were guilty of the "crime" of espousing the cause of political self-determination historically promised to Jammu and Kashmir by India, Pakistan and the United Nations. The Kashmiri people were entitled to live a life of peace and prosperity without being subjected to massive human rights violations. Fifty thousand people had been killed by Indian forces and more than 100,000 tortured or maimed, thousands of houses and business premises had been destroyed, and families were divided by an artificial frontier. The international community must not allow human rights in Kashmir to be sacrificed at the altar of economic interests.

40. Mr. ONGUENE (World Alliance of Reformed Churches) said that successive Governments had done little to improve respect for human rights in the 17 years since Equatorial Guinea had embarked on a return to democracy. True freedom must be based on the rule of law, sound administration and civilized government. Yet the present regime systematically flouted human rights. Since 1995 dozens of its political opponents had been detained for periods of two or three days and savagely tortured for exercising political rights recognized by internal legislation. As in previous years, those responsible continued to enjoy impunity. The Commission should call upon the authorities of Equatorial Guinea to renounce force and to work to achieve democracy through negotiation with opposition parties. The mandate of the Special Rapporteur should be renewed, and the international community should continue to monitor the situation in the country.

41. Ms. PARKER (International Educational Development, Inc.) said that her organization's representative to the Sub-Commission, Mr. Jamil Andrabi, had been killed in Kashmir the previous month while in the custody of the Indian army. He was 1 of over 20,000 recent civilian casualties in that long war for self-determination. In its resolutions 91 (1951) and 122 (1957) the Security Council had affirmed that Kashmir's status could be decided only by a plebiscite conducted under the auspices of the United Nations. The Commission should therefore recommend that ways be found of conducting the promised plebiscite, and should reject India's plan to organize elections.

42. Multilateral agreements also called for the status of the Moluccas to be resolved by plebiscite. Yet Indonesia had invaded that territory after its 1950 declaration of independence, and the Moluccans were still fighting to regain that independence. Elsewhere, gross violations of human rights in Guatemala were still, quite unjustifiably, being addressed in the framework of advisory services. The Commission should also review violations of political rights and humanitarian law in the Islamic Republic of Iran and the war in Chiapas Province, Mexico, and should provide a team of field officers to assist the Special Rapporteur on Myanmar in his work. Lastly, it should investigate violations of the Geneva Conventions and allegations of the use of chemical weapons in Chechnya.

43. Mr. MATAS (Coordinating Board of Jewish Organizations) said that, from the Nazi holocaust to the mass murders in Bosnia and Rwanda, history showed that incitement to hatred was a major cause of gross violations of human rights. If the Commission was to prevent future violations, it must actively promote the banning of "hate speech". That obligation was set forth in international instruments, yet no mechanisms existed to ensure its implementation. One lesson to be learned from the massacres in Bosnia and

Rwanda was that every country must have functioning laws that prohibited incitement to hatred, and that any country in which it was tolerated must be the subject of international concern.

44. To ask oppressive Governments to prohibit incitement to hatred seemed tantamount to inviting them to suppress freedom of speech. The solution to that dilemma would be a human rights package that balanced freedom of expression and the prohibition of hate propaganda. Since the obligation to prohibit incitement to hatred contained in international instruments was not binding on non-signatories, a Commission resolution urging States to prohibit and report on propagation of hatred would thus broaden the scope of application of those instruments.

45. Mr. CHEBEYA (International Human Rights Law Group) said that, despite the previous day's declarations to the Commission by the Zairian delegation, there had been no significant change in the situation of human rights in Zaire in 1995. In contravention of the provisions of the Transitional Constitution, the army and security forces continued to violate human rights in their day-to-day control of matters that were now properly the responsibility of the civilian authorities. Parliamentarians had recently been prevented by the army from entering the Parliament building. More serious were the detention without charge of an official of the National Library and the seizure of its entire stock of the constitutional texts of the National Sovereign Conference, recently translated for distribution in the country's four national languages. At least 14 people had been killed by the armed forces during a political demonstration in Kinshasa on 29 July 1995, and no one had subsequently been held accountable. The Government had again shown itself powerless in the face of the armed forces when, on 25 December 1995, the army had fired into a crowd at Goma, killing at least 17 persons. A resumption of inflation in the second half of 1995 meant that economic and social rights were also jeopardized.

46. Mr. LIONG (Liberation) said that the present Government of Indonesia had taken power in 1965 after killing up to 1 million people in one of the worst crimes of the century. That pattern of mass killings had continued unabated ever since, but only the Dili massacre of November 1991 had attracted international attention, and no independent inquiry into the matter had been permitted by the Indonesian authorities. Since 1990 human rights violations had worsened in Aceh and West Papua (Irian Jaya), prompting a flood of refugees to neighbouring countries. Liberation therefore welcomed the initiative of the High Commissioner for Human Rights to establish an Office in Jakarta. That Office should gather information from individuals and local human rights organizations, and monitor the conditions of political prisoners.

47. Violations of the human rights of the Kurdish population had persisted since Turkey's accession to the European Customs Union in 1995. Before joining the Union, Turkey had been obliged to relax its anti-terrorist laws, but it had simultaneously introduced an amendment to its Penal Code making the exercise of freedom of expression a punishable offence. Over 100 writers, academics, journalists and politicians remained in prison.

48. Mr. KADIEV (Society for Threatened Peoples) said that the war in the Chechen Republic had assumed genocidal proportions. Expressed as a percentage of the population, the number of casualties and displaced persons was

comparable to the losses suffered in Europe during the Second World War. The United Nations, which had been established to ensure that a similar tragedy would never recur, had taken no steps to stop the crimes in Chechnya, other than the Chairman's statement at the previous session of the Commission, which the Russian Government had totally ignored.

49. The right to life was being violated on a massive scale in Chechnya. Cluster bombs, chemical weapons and anti-personnel mines were being widely used, and homes and possessions destroyed, so as to drive the civilian population from their homeland. That strategy had a name: ethnic cleansing. Civilians were being executed without trial, and thousands were held and ill-treated in detention centres. The United Nations must take all necessary measures to stop the genocide of the Chechen people.

50. Mr. PASHA (Himalayan Cultural and Research Foundation) said that although the Commission's eagerness to stop human rights violations was proven, such abuses would continue if their causes were not eradicated.

51. The Islamic Mujahidin, who had emerged from the ruins of Afghanistan, were destabilizing other countries. In Kashmir that was happening with Pakistan's approval. The hapless Kashmiris, above all those from the Hindu community, were being slaughtered by mercenaries and their homes burnt, because Pakistan was bent on territorial expansion.

52. The Foundation urged the Commission to bring pressure to bear on Pakistan to stop misusing the name of religion to further its evil designs.

53. Mrs. WEI Shanshan (Transnational Radical Party) stated that her eldest brother, Wei Jing Sheng, had been sentenced to 14 years' imprisonment by a Beijing court for conspiracy to subvert the Government. Yet he was totally innocent, as the acts of which he had been accused did not amount to violent or clandestine activities.

54. China had the highest number of prisoners in the world and she wondered how many were, like her brother, prisoners of conscience, who had merely exercised their right to freedom of expression by denouncing injustice, intolerance and corruption.

55. Wei Jing Sheng's health had already been severely undermined by previous imprisonment and his family feared that he would not survive the new sentence. She therefore appealed to the Commission to save her brother by persuading China to stop persecuting people who merely exercised their universally recognized civil and political rights, as only then could China make a peaceful transition to democracy. For that reason, she called on the Commission to adopt the draft resolution on China.

56. Mr. RAVALOSON (Madagascar) considered that the prevention of human rights abuses was the most important aspect of the Commission's work and vital to the credibility of the United Nations. Yet, for a number of reasons, the protection of human rights was ineffectual in several countries, Cyprus being a salient example. Foreign occupation had exacerbated conditions there and

his country supported the view that the normalization of the human rights situation depended on the restoration of Cyprus' sovereignty and territorial integrity.

57. Although Madagascar had given proof of its determination to champion human rights, it was passing through a difficult phase of transition towards democracy and consequently welcomed the Secretary-General's idea of human rights diplomacy. International cooperation was indeed required to ensure that the right to development was not rendered meaningless by poverty and a lack of government resources. Such action had to be not only economic, but must also be aimed at the strengthening of institutions.

58. Independent, impartial and efficient courts were essential, as was legal reform, accompanied by the training of legal officers, the provision of adequate documentation and the improvement of prison conditions and rules. His country was, however, too poor to achieve those goals which would guarantee the rule of law. For that reason, he urgently appealed for the support of the international community and for technical assistance, without which human rights would be inoperative.

59. Among the various factors hampering the Commission's efficiency he singled out its structure and working methods, noting that its member States were jealous of their sovereignty. Whenever human rights issues brought States into conflict with their citizens, therefore, the individuals concerned should be allowed to have their say in the Commission. ILO's experience with tripartite representation might be useful in that regard.

60. While that type of reform could not be carried out overnight, any improvements along those lines should be encouraged as the United Nations and the international community would be discredited unless the Commission truly became the conscience of humanity.

61. Mr. SARMIENTO MANTILLA (Colombia) explained that as the Public Prosecutor's Office had been set up to investigate crime, it was responsible for curbing impunity. Failure to prosecute had been the primary cause of the violence experienced by his country.

62. The Colombian Government acknowledge the need for cooperation with the international community in order to curb continuing, serious infringements of human rights, which were not part of any State policy. The international community would make a grave mistake if it appointed a special rapporteur on Colombia, as such a move would imply lack of confidence in the public prosecutor, who was doing his best to put an end to impunity.

63. He pointed out that the very establishment of the Human Rights Unit to which that Office was attached reflected the State's determination to protect human rights, and that the significant support given to the Public Prosecutor's Office by the Colombian Government had not compromised its independence, as had been demonstrated by its investigation of offences committed by senior government officials.

64. The Regional Tribunal had been accused in various international bodies of infringing the human rights of certain political groups in Colombia. While

recognizing that some errors had been made and restrictions placed on certain trade unionists' rights, he wished to make it clear that the Tribunal had been set up to combat a wave of killings of Colombian judges and officials. Nevertheless, in response to criticism from the international community and Colombian citizens, the Regional Tribunal was to be abolished forthwith, but drug traffickers would not go unpunished.

65. The outcome of investigations into violations of human rights or international humanitarian law clearly depended on the securing of evidence by specialized officers able to act quickly, decisively and impartially, but such conditions would not obtain if public prosecutors were afraid of barbarous acts committed by outlaws.

66. The Public Prosecutor's Office was obliged to respect the rights and freedoms embodied in various legal instruments and ensure that victims of human rights abuses obtained justice speedily and effectively.

67. Mr. GEORGE (Observer for Botswana) reaffirmed his country's firm commitment to the fundamental principles of human rights embodied in the Charter of the United Nations. As Botswana believed that the right to development was an integral part of those human rights, it had introduced a Remote Area Development Programme targeted at all Batswana who did not live in villages.

68. The Programme set out to provide social services and promote productive activities, and it mirrored the Government's awareness of the country's ethnic diversity. Botswana's aridity made it unsuitable for certain activities but, resources permitting, hunting and gathering were allowed, as they constituted a means of subsistence for the Basarwa or Bushmen.

69. Botswana did not believe that any of its people would want to live in harsh conditions simply because their forebears had done so, and considered it was logical that dwellers in remote areas should participate in decisions affecting their lives with the Basarwa's consent, therefore, the Government was seeking to integrate them in a more modern way of life.

70. Mr. ZHANG Yishan (China), speaking in exercise of the right of reply, expressed the Chinese delegation's deep regret that Mr. Kinkel had abused his status as a guest of honour by verbally attacking China. Germany's past did not qualify him to lecture China, and he should first address his own country's serious human rights shortcomings.

71. Despite the fact that dialogue between the European Union and China must be based on equality and mutual respect, the European Union and Germany had sought to impose a date by which China was supposed to accede to human rights conventions and had expressed a wish to send rapporteurs to China. Such ultimatums could not be expected to produce results. Why had rapporteurs not been invited to Germany to look into the numerous infringements of human rights there? China rejected the politicization of human rights.

72. Mr. USMAN (Observer for Nigeria), speaking in exercise of the right of reply, said that contrary to the sweeping allegations made by some speakers, the human rights situation in Nigeria had not deteriorated. On the contrary,

the Government had tried to enhance citizens' rights, free courts were operating effectively and there had been no mass or unjustified arrests. The huge turnout in orderly local government elections was proof of the population's confidence in the transition to democracy. Nigeria was cooperating with human rights bodies and regularly submitted the reports required of it.

73. Mr. QAZI (Pakistan), speaking in exercise of the right of reply, rebutted the accusations levelled against Pakistan by the representative of the Kabul regime. Pakistan had made great sacrifices in assisting Afghanistan on account of the strong ties between the peoples of both countries. The Kabul leadership had reneged on its commitment to create a democratic government and as it represented only a small segment of the Afghan people, its efforts to cling to power made it detested by the majority. Moreover, it had been behind an attack on the Pakistan embassy in Kabul. Its opponents, who were not mercenaries, controlled most of the territory of Afghanistan, where peace prevailed. He urged the Kabul regime to safeguard the territorial integrity of Afghanistan and the interests of all who lived there.

74. Mr. PALACIO (Cuba), speaking in exercise of the right of reply, said that he felt like a spectator in an anti-Cuban circus. The International Association of Educators for World Peace had trotted out the same old hackneyed statements which were not credible, as everyone knew who was behind them. By persisting in such action, that organization would force his delegation to take steps to have its consultative status removed.

The meeting rose at 9.05 p.m.